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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/460,944	12/14/99	SITNIK	E PHA23.898

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EXAMINER

BUI, K

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 01/17/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/460,944

Applicant(s)

Sitnik

Examiner

"Krista" Kieu-Oanh Bui

Group Art Unit

2611



☒ Responsive to communication(s) filed on Nov 13, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-18 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-18 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.*

2. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Hwang (U.S. Patent No. 6,049,823).

Regarding claims 1 and 7, Hwang discloses a television system comprising: a connection configured to be operatively coupled to a connection of an other television (Figs. 1a-1d); and a processor, i.e., a channel processor, configured to provide query information to the other television (Figs. 1a-1d/item 1) and configured to provide queried information in response to a query request from the other television, i.e., a user can order any requested on-demand services from any television and can interact with other televisions in the group (see col. 1/lines 55-65)..

As for claims 2-3 and 8, in view of claim 1 above, Hwang discloses “wherein said connection is configured to provide said query and queried information to the other television”, i.e., using the internal link among the workgroup (col. 5/lines 34-38) and “wherein said processor

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is configured to receive query compliance status information identifying the query compliance status of the other television” (see col. 17/lines 35-43).

As for claims 4 and 9, Hwang suggests wherein processor is configured to receive identifying information, i.e., a request from a user with identifying information (Fig. 2 and col. 13/lines 19-32), from a user prior to enabling the user to do at least one of set and change query compliance status information (col. 10/lines 6-9).

As for claims 5 and 10, the step of “wherein said processor is configured to provide any queried information to the other television that does not violate the query compliance status of the other television” is revealed by Hwang as Hwang suggests that the command session can be terminated or interrupted if some query compliance status is violated or improperly done (see col. 14/lines 44-61).

As for claims 6 and 11, Hwang discloses “wherein the connection is one of an in-home network connection and an Internet connection”, i.e., a groups of households connected to each other for receiving interactive TV broadcasting signals and using LAN for accessing the Internet (remote office) as well (Figs. 8-10 and col. 13/lines 19-48).

Regarding claims 12-14 and 16-18, these method claims are rejected for the reasons given with respect to the system claims of 1-11 as already disclosed above.

As for claim 15, Hwang further suggests “wherein said identifying is performed by a mediator that is separate from each of said plurality of televisions”, i.e., a control center which oversees the operation and is separated from each of the plurality of televisions (see Figs. 3a-3b).

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Response to Arguments

3. Applicant's arguments filed on 11/06/2000 have been fully considered but they are not persuasive.

Applicant basically argues that Hwang (US Patent 6,049,823) does not suggest that "the query information is shared amongst the televisions" (claim 1) and about "a query request" (with the backup explanations as in the application, page 4, lines 11-14), and "query compliance status information" (as defined in the application) which the Examiner disagrees by explaining in the following discussion: To one of ordinary skill in the art, claim 1 broadly recites "a television is capable to connect to another television, and the information signal can be transmitted from the first television to the second television in response to a request from the second television using a processor." Putting this in more simple terms, for example, in group games as suggested by Hwang (col. 7/lines 47-63, and using five basic internal links for workgroup connection links, see col. 8/line 53 to col. 9/line 3), when a second user of a second television asks a first user of a first television "Do you want to play an interactive game (with me)?" by sending a request signal, the first one says "Yes" with the reply signal in response to the first request before they begin the game session. This example reads on claim 1. Thus, it is proper that the "query information", the "query request" or the "query compliance status information" are broadly interpreted as the "information signal", the "request signal" or the "status information signal". Therefore, the Examiner disagrees with the Applicant's arguments and stands with Hwang's reference as discussed in the previous office action and above in this Office Action.

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Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

5. **Any response to this action should be mailed to:**
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-6306 or (703) 308-6296, (for formal communications intended for entry)

Or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park ID, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Thursday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Krista Bui
Art Unit 2611
January 10, 2001


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600